THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.2063 of 2007

Date: 06.02.2007

Between:

P.Suvarna and others.

....Petitioners

And

The Sub-Registrar, Hyderabad East, Hayathnagar, Hyderabad.

....Respondent

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.2063 of 2007

O R D E R:

Petitioners state that they have purchased plots of various sizes in Survey No.44/1 of Munuganoor Village, Hayathnagar Mandal, Rangareddy District. It is stated that all of them have sold their plots to one Sri P.Ram Reddy and executed sale deeds, dated 29.12.2006. Their grievance is that when the sale deeds were presented before the respondent for registration, he is not registering the same. Petitioners contend that though the District Collector issued Circular instructions in the year 2001, directing the respondent not to register the documents in respect of the said land, the Collector issued a memo on 28.04.2006 withdrawing the Circular instructions, in view of the Judgments of this Court. It is further contended that Section 22-A of the Registration Act, 1908 (for short 'the Act'), which permitted the Government to issue instructions to the registering authority prohibiting registration, has since been set aside

by this Court. Petitioners seek appropriate directions to the respondents.

Heard the learned counsel for the petitioners and the learned counsel for the respondents.

The Act and the Rules made thereunder stipulate the procedure to be followed in the matter of registration of the documents. Till recently, the State Government was conferred with the power under Section 22-A of the Act, to issue notifications, prohibiting registration of the documents in respect of the lands mentioned in such notifications. The said provision was set aside.

The District Collector, Ranga Reddy District, appears to have issued instructions on earlier occasion akin to those contemplated under Section 22-A of the Act. Even such directions were rescinded by the Collector himself, through his memo dated 28.04.2006. The result is that there does not exist any impediment or prohibition for the respondent in accepting the documents for registration, if necessary requirements under the Indian Stamp Act and the Registration Act are

complied with.

Hence, the Writ Petition is allowed, directing the respondent to receive the documents presented by the petitioners for registration and process the same, in accordance with the provisions of the Indian Stamp Act and the Registration Act, duly ensuring that the requirements thereunder are complied with. There shall be no order as to costs.

06.02.2007

JSU